

REMARKS

The claims are 1-12, with Claims 1 and 8 being in independent form.

Favorable reconsideration of the present claims is respectfully requested.

The Examiner has imposed a restriction requirement under 35 U.S.C. § 121 that Applicants elect one of the following inventions:

Species I: A method and apparatus with an electric forcing function;

Species II: A method and apparatus with a non-electric forcing function.

Applicants now affirm the provisional election without traverse, made on January 10, 2005, to prosecute the invention of Species I, Claims 1-12.

Further in the Office Action, Claims 1-3, 5, 6, 8, 10 and 11 were rejected as an obviousness-type double patenting over Claims 1, 2, 3, 4 and 5, and Claims 12, 13 and 3, respectively, of U.S. Patent No. 6,686,746 (*Allan et al.*). Claims 7 and 12 were rejected as an obviousness-type double patenting over Claim 11 of *Allan et al.* The Examiner has also rejected Claims 4 and 9 as an obviousness-type double patenting over Claims 1 and 12 of *Allan et al.*, further in view of U.S. Patent No. 5,321,632 (*Otsuji*).

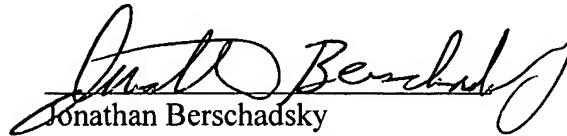
To obviate these obviousness-type double patenting rejections, Applicants submit herewith a Terminal Disclaimer pursuant to 37 C.F.R. § 1.321(c), executed by an individual empowered to act on behalf of the Assignee of the full title and interest in and to the present application. The fee for filing the Terminal Disclaimer under 37 C.F.R. § 1.20(d) of \$130.00 is enclosed.

Accordingly, Claims 1-12 are now believed patentable and withdrawal of the double patenting rejections is respectfully requested.

In view of the foregoing, Applicants kindly request submission of the Terminal Disclaimer, along with favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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